App. No. 10/738,498
Atty. Docket No. 42P17255

Remarks

The referenced patent application has been reviewed in light of the referenced Office Action.

In the Drawings, fig. 2 is objected to. A revised sheet including figure 2 is provided and will overcome the objection.

In the specification, an informality noted in paragraph 0020 is amended. The amended paragraph is free of the informality.

In the Claims, claims 1-37 re pending in the referenced application. Claims 1-37 stand rejected.

Claims 1, 2, 6-10, 26, 32, 34 are amended to clarify Applicant's claimed invention.

Claims 1-13 are rejected under 35 U.S.C 112 second paragraph. The referenced term "baseline information" is amended to read "baseline values" which are clearly defined in the specification, see Specification, para. 0015. The rejections of claims 1-13 are therefore moot and should be withdrawn.

Claims 26-37 are rejected as directed to non-statutory subject matter. As amended claims 26-37 are directed to a *tangible* medium and therefore the rejections of claims 26-37 are moot and should be withdrawn

Claims 20-25 are rejected under 35 U.S.C. 102(e) as anticipated by Zimmer 4687 (US Patent App. 2005/0114687 A1) (Zimmer 1). Claims 1-19 and 26-37 are rejected under 35 U.S.C. 103(a) as unpatentable over Zimmer 1968 (US Patent App. 2005/0021968 A1) (Zimmer 2) in view of Zimmer 1.

12

App. No. 10/738,498
Atty. Docket No. 42P17255

The independent claims of the Application are claims 1, 14, 20 and 26. Each of these claims includes an element relating to generating in a protected partition on the trusted computing device baseline values pertaining to guest software in a guest virtual machine, as in claims 1 and 26, or more specifically, as in claims 14 and 20, an integrity monitor processing the guest software in the guest virtual machine to generate a baseline hash value;

In each rejection of the independent claims 1, 14, 20 and 26, it is asserted that this element of the claims is disclosed or suggested by Zimmer 2 or Zimmer 1. However, neither Zimmer 2 nor Zimmer 1 disclose this element of the claims. While storing a block of code in a secure area of memory may be discussed by Zimmer 1, and computing a hash function may be disclosed by Zimmer 2, neither reference discloses either generally generating in a protected partition on the trusted computing device baseline values pertaining to guest software in a guest virtual machine, or particularly an integrity monitor processing the guest software in the guest virtual machine to generate a baseline hash value.

Therefore, because all the rejections of claims 1, 14, 20 and 26 rely on the rejection of this element as disclosed by Zimmer 1 and Zimmer 2, the rejections of these claims cannot stand and should be withdrawn for at least this reason. Because these claims are the independent claims in the Application, the rejections of all the other claims which rely on these rejections also cannot stand and should be withdrawn for at least this reason.

Therefore, the rejections of all claims pending in the application should be withdrawn and all claims allowed.

13

App. No. 10/738,498
Atty. Docket No. 42P17255

The Examiner is welcome to contact the Attorney of Record, Sanjay S.

Gadkari at 503-264-4348 to discuss any matters in connection with the case. The

Commissioner is hereby authorized to charge any fees in connection with this

communication to our Deposit Account No. 02-2666.

                         Respectfully submitted,

                         BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

                         LLP

Date: April 2, 2007   /Sanjay S. Gadkari/
                                             ─────────────────────
                                             Sanjay S. Gadkari
                                             Reg. No. 55,796

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(503) 439-8778

                                  14